

18.2 per cent shortage, calculated on the basis of 6 capsules of 5½ min., and 25.6 per cent shortage, calculated on the same basis, of 50 additional capsules of 5½ min., and analysis showed that the product was composed of at least 50 per cent cottonseed oil and resins from apiol and oil savin.

Misbranding of the article was alleged for the reason that the label was false and misleading in that the capsules purported to contain the amount of the drug compound indicated on the label, whereas they contained a less[er] amount, and for the further reason that it purported to be composed of the drugs indicated on the label, whereas it had been diluted by the addition of cottonseed oil. Misbranding of the article was alleged in substance for the further reason that it was an imitation of, and was offered for sale under the distinctive name of, another article, to wit, "Ergot Apiol Compound."

On June 30, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

7175. Adulteration of oranges. U. S. * * * v. 392 Boxes of Oranges. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 9932. I. S. Nos. 13421-r, 13422-r. S. No. E-1274.)

On March 22, 1919, the United States attorney for the Western District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 392 boxes of oranges, remaining unsold in the original unbroken packages at Pittsburgh, Pa., alleging that the article had been shipped on or about March 6, 1919, by the California Fruit Growers Exchange, Upland, Cal., and transported from the State of California into the State of Pennsylvania, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted in whole or in part of a filthy, decomposed vegetable substance.

On April 4, 1919, Owen G. Butts, Pittsburgh, Pa., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be released to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$1500, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

7176. Misbranding of cheese. U. S. * * * v. 20 Cartons of Cheese. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 9941. I. S. Nos. 7068-r, 7069-r, 7070-r, 7071-r, 7072-r. S. No. C-1119.)

On March 25, 1919, the United States attorney for the Eastern District of Wisconsin, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 20 cartons of cheese, consigned on or about March 4, 1919, remaining unsold in the original unbroken packages at Milwaukee, Wis., alleging that the article had been shipped by the J. L. Kraft & Bros. Co., Chicago, Ill., and transported from the State of Illinois into the State of Wisconsin, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was variously labeled "Elkhorn Swiss Cheese," "Elkhorn Roquefort American Cheese," "Elkhorn Kraft Cheese—Chile flavor," "Elkhorn Kraft

Cheese—Pimento Flavor,” and “Elkhorn Kraft Cheese,” and in each case “J. L. Kraft & Bros. Co., Chicago-New York.”

Misbranding of the article was alleged for the reason that the labels borne on the cans containing the article represented that each can contained $\frac{1}{4}$ pound of cheese, which was false and misleading, inasmuch as the contents of each can was less than that amount, averaging in percentage from 6 per cent to 11.5 per cent shortage in weight; and for the further reason that the statement, to wit, “Contents one-quarter pound,” deceived and misled the purchaser. Misbranding of the article was alleged for the further reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the packages and upon each can in terms of weight, since the amount stated was not a correct statement of the quantity of food contained in each package or tin can.

On May 10, 1919, the said J. L. Kraft & Bros. Co., claimant, having admitted the allegations of the libel, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be released to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$200, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

7177. Adulteration and misbranding of Balsam Copaiba, Salol Compound, and Methylene Blue Compound. U. S. * * * v. 69 Boxes of Balsam Copaiba, Salol Compound, and Methylene Blue Compound. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 9942. I. S. Nos. 6192-r, 6195-r, 6196-r. S. No. C-1116.)

On March 27, 1919, the United States attorney for the Northern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 69 boxes of capsules, 8 of which contained balsam copaiba, 5 of which contained methylene blue compound, and 56 of which contained salol compound, at Cleveland, O., alleging that the articles had been shipped on or about January 15, 1918, and February 13, 1918, by the Evans Drug Mfg. Co., Greensburg, Pa., and transported from the State of Pennsylvania into the State of Ohio, and charging adulteration and misbranding in violation of the Food and Drugs Act. The capsules of Balsam Copaiba were labeled in part, “Copaiba 10 min.,” the capsules of Methylene Blue Compound were labeled in part, “Oil Santal $1\frac{1}{2}$ min., Copaiba Para $1\frac{1}{2}$ min., Oil Cinnamon $1\frac{1}{2}$ min., Methylene Blue 1 gr.,” and the capsules of Salol Compound were labeled in part, “Balsam Copaiba 10 min., Oleoresin Cubeb 5 min., Salol $3\frac{1}{2}$ gr., Pepsin Aseptic (1:3000) 1 gr.”

Analyses of samples of the three articles made by the Bureau of Chemistry of this department showed that the capsules marked “Copaiba 10 min.” were deficient in quantity of contents an average of 13.2 per cent and 23.2 per cent in two representative series of capsules, and that the contents consisted of approximately 50 per cent cottonseed oil; that the capsules marked “Methylene Blue Compound” were deficient in quantity of contents an average of 25.3 per cent and 28.7 per cent in two representative series of capsules, and that the contents consisted of approximately 50 per cent cottonseed oil; and that the capsules labeled “Salol Compound” consisted of a mixture containing 50 per cent to 60 per cent cottonseed oil.

Adulteration of the 8 boxes of Balsam Copaiba was alleged in the libel for the reason that it was sold under and by a name recognized by the United States Pharmacopœia and differed from the standard of strength, quality, and